

Fill in this information to identify the case:

Debtor 1 Totsy Dwain Spence

Debtor 2 Jana Kayle Spence
(Spouse, if filing)

United States Bankruptcy Court for the: Eastern District of Texas
(State)

Case number 16-40602

Form 4100R

Response to Notice of Final Cure Payment

10/15

According to Bankruptcy Rule 3002.1(g), the creditor responds to the trustee's notice of final cure payment.

Part 1: Mortgage Information

Name of creditor: US BANK TRUST NATIONAL ASSOCIATION AS TRUSTEE OF CABANA SERIES III TRUST Court claim no. (if known): 11

Last 4 digits of any number you use to identify the debtor's account: 4707

Property address: 205 Spence Dr
Number Street

Wylie, TX 75098
City State ZIP Code

Part 2: Prepetition Default Payments

Check one:

- ☒ Creditor agrees that the debtor(s) have paid in full the amount required to cure the prepetition default on the creditor's claim.
- ☐ Creditor disagrees that the debtor(s) have paid in full the amount required to cure the prepetition default on the creditor's claim. Creditor asserts that the total prepetition amount remaining unpaid as of the date of this response is: \$ _____

Part 3: Postpetition Mortgage Payment

Check one:

- ☒ Creditor states that the debtor(s) are current with all postpetition payments consistent with § 1322(b)(5) of the Bankruptcy Code, including all fees, charges, expenses, escrow, and costs.

The next postpetition payment from the debtor(s) is due on: 02 / 01 / 2020
MM / DD / YYYY

- ☐ Creditor states that the debtor(s) are not current on all postpetition payments consistent with § 1322(b)(5) of the Bankruptcy Code, including all fees, charges, expenses, escrow, and costs.

Creditor asserts that the total amount remaining unpaid as of the date of this response is:

- a. Total postpetition ongoing payments due: (a) \$ _____
- b. Total fees, charges, expenses, escrow, and costs outstanding: + (b) \$ _____
- c. **Total.** Add lines a and b. (c) \$ _____

Creditor asserts that the debtor(s) are contractually obligated for the postpetition payment(s) that first became due on:

MM / DD / YYYY

Debtor 1 Antonio Navarro Case number (if known) 16-40602
First Name Middle Name Last Name

Part 4: Itemized Payment History

If the creditor disagrees in Part 2 that the prepetition arrearage has been paid in full or states in Part 3 that the debtor(s) are not current with all postpetition payments, including all fees, charges, expenses, escrow, and costs, the creditor must attach an itemized payment history disclosing the following amounts from the date of the bankruptcy filing through the date of this response:

- ☐ all payments received;
- ☐ all fees, costs, escrow, and expenses assessed to the mortgage; and
- ☐ all amounts the creditor contends remain unpaid.

Part 5: Sign Here

The person completing this response must sign it. The response must be filed as a supplement to the creditor's proof of claim.

Check the appropriate box::

- ☐ I am the creditor.
- ☒ I am the creditor's authorized agent.

I declare under penalty of perjury that the information provided in this response is true and correct to the best of my knowledge, information, and reasonable belief.

Sign and print your name and your title, if any, and state your address and telephone number if different from the notice address listed on the proof of claim to which this response applies.

X /s/ Kristin A. Zilberstein
Signature

Date 1 / 31 / 2020

Print Kristin A. Zilberstein
First Name Middle Name Last Name

Title Authorized Agent for Secured Creditor

Company Ghidotti | Berger LLP

If different from the notice address listed on the proof of claim to which this response applies:

Address 1920 Old Tustin Ave.
Number Street

Santa Ana CA 92705
City State ZIP Code

Contact phone (949) 427 - 2010

Email bknotifications@ghidottiberger.com

CERTIFICATE OF SERVICE

On January 31, 2020, I served the foregoing documents described as Response to Notice of Final Cure Payment on the following individuals by electronic means through the Court's ECF program:

COUNSEL FOR DEBTOR

Mark S. Rubin

bankruptcy2@rubin-owens.com

TRUSTEE

Carey D. Ebert

ECFch13plano@ch13plano.com

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

/s/ Evan Tragarz

Evan Tragarz

On January 31, 2020, I served the foregoing documents described as Response to Notice of Final Cure Payment on the following individuals by depositing true copies thereof in the United States mail at Santa Ana, California enclosed in a sealed envelope, with postage paid, addressed as follows:

Debtor Totsy Dwain Spence 205 Spence Dr Wylie, TX 75098 U.S. Trustee US Trustee Office of the U.S. Trustee 110 N. College Ave. Suite 300 Tyler, TX 75702	Joint Debtor Jana Kayle Spence 205 Spence Dr Wylie, TX 75098
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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

/s/ Evan Tragarz

Evan Tragarz